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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Modification of Section 90.20(c) of the
Commission's Rules to Permit Use of Any
Certified Public Safety Frequency
Coordinator for Channels Below 470 MHz

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Rm-10077

To: Wireless Telecommunications Bureau

**COMMENTS OF THE FORESTRY CONSERVATION
COMMUNICATIONS ASSOCIATION**

The Association of Public Safety Communications Officials – International, Inc. (“APCO”) filed a petition for rulemaking on February 21, 2001 asking the Commission to initiate a proceeding seeking to authorize any of the certified public safety coordinators to coordinate frequencies in the public safety pool channels below 470 MHz. The purpose of these comments is to urge the Commission not to make any changes in the current system by reason of the following:

The Forestry Conservation Communications Association (“FCCA”) was established over 50 years ago as the direct representative of the various state governments and their respective agencies that are charged with the protection of lives and property in the vast forest, rural and recreational areas across the country. It is not a membership organization in the ordinary sense of those words. FCCA is the Commission's certified coordinator for the Forestry Conservation Service. FCCA is a not-for-profit corporation operating with a central office in Washington and staff of three regional coordinators who are state government employees and three retired career

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foresters. FCCA does not consider frequency coordination as a business and has no interest in expanding this activity into the other public safety services.

Those who protect our forested areas are highly dependent on secure radio systems to perform their duties. It is often been said that a ranger in the forest is a “police officer, fire fighter and an emergency medical provider all in one person.”

To provide this radio service the various states have long established wide area radio systems to meet their needs. These needs encompass fire suppression, toxic cleanup, environmental law enforcement and other efforts that involve direct action and coordination with other state agencies, local fire departments and the US Forest Service. Radio frequency use agreements and compacts have been created to provide radio communications among numerous states and adjacent countries. These operating documents have enabled essential radio communications to take place when needed. These agreements and support among agencies is essential to the completion of their important tasks, including providing safety to agency employees such as wildfire fighters. Present communications systems are essential in providing fast and efficient protection for life and property not only on State and Federal land but private property in many areas of the country. Forest fire suppression efforts, environmental waste cleanup, and conservation law enforcement are very serious businesses. They involve the lives of many dedicated civil servants from local, state and federal agencies. FCCA realizes that agencies working together all need each other to accomplish their vital tasks. Therefore any disruption to existing radio communications is unthinkable and unacceptable. Wide area operations are a way of life and necessity for forestry conservation agencies. For example, recent major forest wide fires such as those in Montana, Florida and California involved federal and state wildfire suppression personnel from every section of the United States. The integrity of

the wide area radio service is essential to such missions. One of the critical purposes of FCCA is the protection of these statewide systems from being impaired by the licensing by other parties on these channels within the states or in areas surrounding it. This is not frequency hoarding in any sense of the term, but is merely a protection of a critical system from interference or failure at time of urgent need.

Even under current Commission rules and policies, FCCA is being threatened by the acts of other coordinators that are not necessarily familiar with the important needs of statewide licensees. Other coordinators have provided licenses to other parties that are completely incompatible with existing systems. As a result, FCCA has encountered severe problems in several areas of the country where the entire statewide system is receiving destructive interference because of single new local licensee dispatch service, coordinated by another coordinator, is getting into the mobile repeaters. FCCA has learned through the interservice sharing process that no other coordination agency or organization understands its needs or system operations. If some other coordination organization were to perform FCCA's function for forestry conservation agencies, problems would result because of unfamiliarity with conservation users' needs and operating systems. Further, they would not have the direct responsibility and ties to the forestry conservation user agencies. When wild fires and other similar incidences occur and the state systems are experiencing peak loading, such interference threatens the lives of firefighters as well as those that they are trying to protect and their property.

As a result of these concerns and after careful consideration of the APCO petition, FCCA feels that no changes should be made in the current system. Further opening of the process to the point where everyone is coordinating everything could result in utter chaos. FCCA strongly

feels that under such conditions it would be practically impossible to protect its vital wide area systems.

FCCA recommends, as a minimum, that if another coordinator wishes to place a licensee on a FCCA statewide system, the Commission must require a positive concurrence from FCCA. Mere notice of 5 or 10 days is not acceptable and would be totally inadequate to protect the public interest.

As attractive as it may appear at first, competition among coordinators for all public safety spectrum could become a disaster. The Commission must be mindful of the fact that for all practical purposes it has turned over its important licensing functions to outside entities to the point that the issuance of a license is becoming a mere rubber stamp of what it receives from a coordinator. One of the few-stated purposes of the Communications Act was “promoting safety life and property through the use of wire and radio communications” (Section 1 [47 U.S.C. 151]). Any licensing scheme which makes it more difficult for FCCA to protect lives and property, runs contra to the purposes of the Act and the reasons why Congress created the Commission in the first place. This cannot be lost sight of in the current effort to streamline and

automate the Commission's licenses and functions. The Commission must oversee the process, at least to the point that another coordinator cannot cause the licensing of channels that interfere with important statewide communications systems.

Respectfully submitted,

**FORESTRY CONSERVATION
COMMUNICATIONS ASSOCIATION**

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CERTIFICATE OF SERVICE

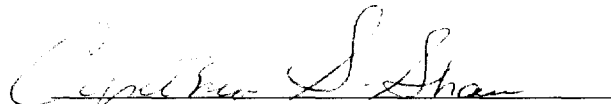
I, Cynthia S. Shaw, do hereby certify that a copy of the foregoing “**COMMENTS OF THE FORESTRY CONSERVATION COMMUNICATIONS ASSOCIATION**” has been served this 2nd day of April, 2001, via first class mail, postage prepaid or by hand delivery to the following:

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